



2. By electronic Order dated May 13, 2005, the Court granted the requested Motion for Extension of Time to File and Ordered that any memorandum in opposition to Defendants' motion to dismiss be filed by July 8, 2005, that Defendants reply memorandum be filed by July 29, 2005 and the Hearing on the Motion to Dismiss is rescheduled to July 19, 2005, at 3:00 PM.

3. On June 29, 2005, the parties conducted a full day mediation with former United States District Judge Layn R. Phillips in an attempt to mediate the claims in this action. While the mediation was productive and great progress was made, the parties recognized that the mediation could not be completed in one day's time and a subsequent mediation session would be required. The parties are working to schedule a later date for such mediation and believe that a resolution of these claims can be made reasonably soon. For this reason, Lead Plaintiffs respectfully submit that it would once again be in all parties' interests to adjourn the present schedule so that the parties can devote their time, energy and resources to the complex negotiations that resolution of this matter will require.

Accordingly, in an effort to minimize any unnecessary costs in this action, Lead Plaintiffs hereby request an extension of the previously-agreed upon briefing schedule.

4. Lead Plaintiffs' counsel has conferred with Defendants' counsel who inform Lead Plaintiffs' counsel that they do not intend to oppose this motion.

WHEREFORE, Lead Plaintiffs Tito and Waddell request that this Court enter an Order to extend the briefing schedule, as described herein, and to adjourn the oral argument scheduled for July 19, 2005.

LOCAL RULE 7.1(A)(2) CERTIFICATION

I hereby certify that Lead Plaintiffs' counsel conferred with Defendants' counsel and have attempted in a good faith to resolve or narrow the issue raised by this motion. Defendants do not oppose this motion.

DATED: July 7, 2005

Respectfully submitted,

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